

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

<b>MELANIE J. KIRKLAND,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 1:08-CV-00115</b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>Commissioner of Social Security,</b>	)	
<b>Defendant.</b>	)	

**O R D E R**

**THIS MATTER** is before the Court on Plaintiff's Motion For Award of Attorney Fees Under the Equal Access to Justice Act and the Social Security Act filed on December 5, 2008.

By Response filed on December 11, 2008, Defendant advises that the parties have reached agreement on this matter and he will not oppose an award of legal fees in the amount of \$4,623.28, as full satisfaction of any and all claims by Plaintiff in this case under 28 U.S.C. § 2412(d).

**IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion For Award of Attorney Fees Under the Equal Access to Justice Act and the Social Security Act is **GRANTED**, and Plaintiff's counsel is hereby awarded **\$4,623.28** for attorney's fees.

**IT IS FURTHER ORDERED** that no additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: December 11, 2008



Lacy H. Thornburg  
United States District Judge

